



**Vale
of White Horse**
District Council

Consultation Draft
December July 2016



Draft Statement of Community Involvement

PART 3
Getting Involved
in Planning
Applications



COMMUNITY INVOLVEMENT – GETTING INVOLVED IN PLANNING APPLICATIONS

This SCI comprises three parts:

Part 3 (this document) sets out how to become involved with planning applications.

Part 1: Community Involvement – Getting Involved in Shaping our Future:

- This provides information on the council's overall approach to community engagement and involvement in the planning process

Part 2: Community Involvement – Getting Involved in the Local Plan and Planning Policy:

- This provides information on how to get involved with and influence the council as it prepares its Local Plan and other Planning Policy documents



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WHAT IS DEVELOPMENT MANAGEMENT?

Development Management is a positive, proactive approach to shaping, considering, determining and delivering development proposals from concept to delivery, through a structured process.

The Development Management team is made up of an applications team, specialist team, appeals team and enforcement team and is responsible for assessing planning applications in accordance with the adopted development plan, the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and other material considerations, including consultation responses.

They are also contactable for advice on pre – application enquiries and planning applications.

WHAT TYPES OF PLANNING APPLICATIONS ARE AVAILABLE TO ME?

The council receives a variety of planning applications. The most common forms that we receive include 'major', 'minor' and 'other' applications whose definition are prescribed by Government as set out below. A list of the main applications we may receive are shown in **Appendix 1**.

[For planning applications made to Oxfordshire County Council, for example on minerals and waste matters, please visit: <https://www.oxfordshire.gov.uk/cms/content/find-planning-application>.](https://www.oxfordshire.gov.uk/cms/content/find-planning-application)

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Major Proposals

Applications for developments of 10 or more dwellings, or 1,000 sq m or more gross non-residential floor area (including changes of use of existing buildings).

Minor Proposals

Applications for developments of up to 9 dwellings or up to 999 sqm gross non-residential floor area (including changes of use of existing buildings), changes of use of open land, telecommunications.

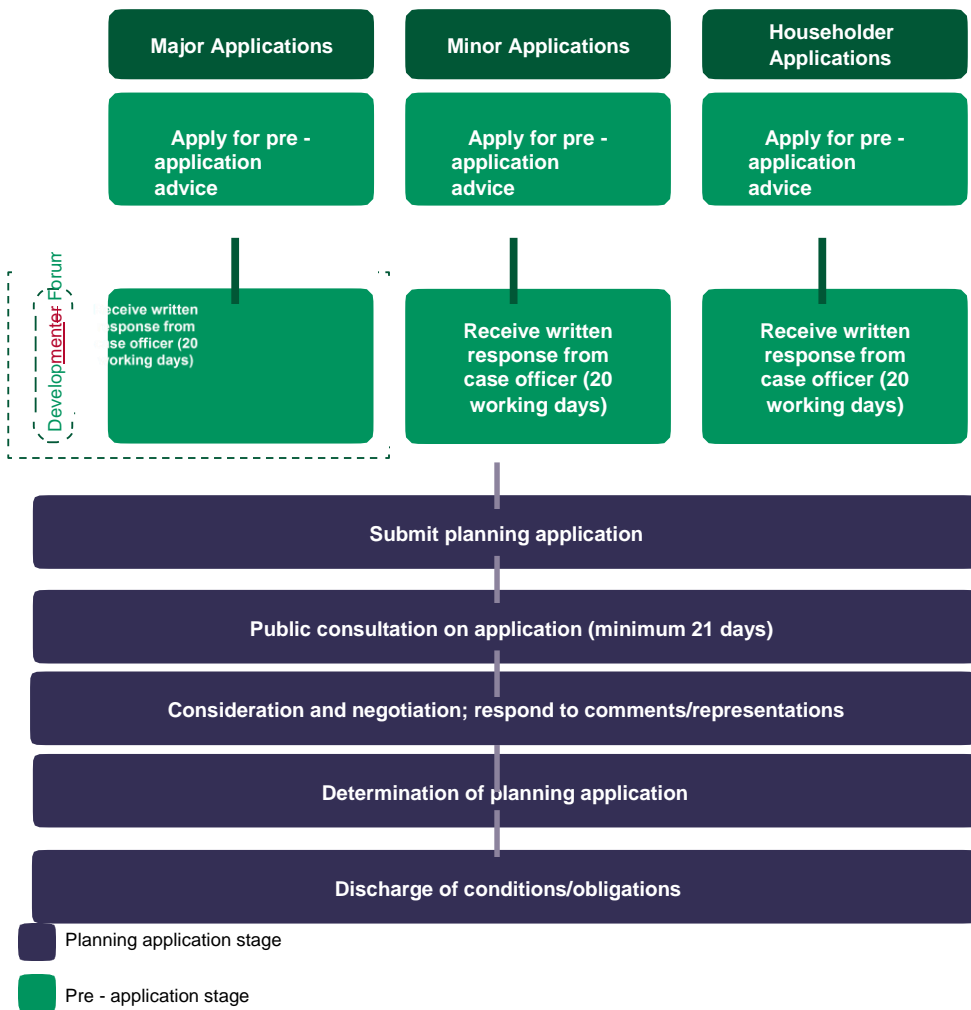
Other Proposals

Applications for the extension or alteration to a house, ancillary buildings in the garden of a house, advertisements or listed building consent.



HOW DOES THE PLANNING APPLICATION PROCESS WORK?

Figure 1: The Planning Application Process



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Figure 1 shows the key stages in the planning application process. It shows when the local community will be involved in commenting upon a planning application and the steps taken to make a decision on major, minor and other proposals.

The General Permitted Development Order (GPDO) 2015 allows certain building works and changes of use to be carried out without having to make an application. In some cases the applicant may obtain prior approval from the council before carrying out permitted developmentⁱⁱ. We will always consult on and publicise planning applications (**Appendix 1**) in accordance with the relevant and up to date regulations.

WHAT IS A PRE – APPLICATION?

The pre-application stage encourages applicants to carry out early engagement with the local community and the council, before submitting a planning application. We encourage the early discussion of schemes in the form of a pre – application as it can:

- Verify the list of local requirements
- Reduce the likelihood of submitting invalid applications
- Help you to understand how planning policies and other requirements may affect your proposals

We will disclose any pre-application advice letter between the applicant and the council, once a formal planning application is submitted. This will be made available on our Planning Application Register that can be accessed on the council websiteⁱⁱⁱ.

Further information on the pre-application process, including **how to apply for pre – application advice** can be accessed on the council website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/application-advice/pre-application-advice>

ⁱ The General Permitted Development Order (GPDO) 2015; available at: [http://www.legislation.gov.uk/ uksi/2015/596/made](http://www.legislation.gov.uk/uksi/2015/596/made)

ⁱⁱ Further information on Permitted Development can be accessed on our website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/application-advice/do-i-need-planning-permission-0>

ⁱⁱⁱ Planning Application Register, available at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/find-application/planning-application-register>

WHAT IS A DEVELOPMENT FORUM?

We encourage applicants and developers to discuss their proposals with neighbours, and to consult with the wider community on their proposals that are likely to have an impact on their local area. We encourage developers to carry out public consultation for all major applications prior to submitting an application.

With this in mind, our Development Forums are an optional part of our pre – application process designed for those bringing forward major applications likely to generate significant public interest. They are held at the applicants' expense to cover the council's administration costs, support agents, developers and applicants engaging with the local community in the pre – application process.

~~We encourage applicants and developers to discuss their proposals with neighbours, and to consult with the wider community on their proposals that are likely to have an impact on their local area.~~

~~We encourage developers to carry out public consultation for all major applications prior to submitting an application.~~

~~The Development Forum ensures that key stakeholders are engaged at the earliest possible stage to help shape the development. It particularly allows an applicant to positively engage with council officers, refers to engagement with our ward local councillors, and the towns and parishes and local community groups, during the pre – application and full application process for major development proposals.~~

Where a developer does not enter into pre – application discussions with the council, we ~~may suggest~~ will often hold a 'Forum' as soon as a formal planning application is registered.

What will the Development Forum do?

- ✓ Provide an explanation of the proposed development by the developer
- ✓ Provide an explanation from council officers of national and local planning policies and guidance
- ✓ Consider the Identify procedures for the funding of infrastructure and facilities, including developer contributions (Section 106) and Community Infrastructure Levy (CIL)
- ✓ Provide an opportunity for an open discussion by all parties to raise issues and to provide feedback allowing the applicant to amend their proposals to reflect local views prior to submitting a planning application
- ✓ Provide a mechanism for carrying out meaningful public engagement
- ✓ Record actions and provide application progress updates

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Who ~~will be~~ might be involved in the Development Forum?

The Development Forum, as a general rule, will involve the following:

- The ward councillor
- Up to two parish councillors from each relevant parish
- The town or parish clerk
- Up to three representatives from the developer (if appropriate specialist advisors)
- The planning committee
- The planning officer and other council officers as appropriate
- Oxfordshire County council and other statutory organisation representatives
- Up to two representatives of a recognised community organisation

Development Forums are encouraged at the pre – application stage. Wider forums, or a form of consultation, may be required at the planning application stage.

It is important to note that this ‘forum’ does not remove our requirement to carry out formal public consultation on applications.

HOW DO I FIND OUT ABOUT A NEW PLANNING APPLICATION?

There are a number of ways we inform you of planning applications that are submitted to the council. These include the following:

Neighbour notification letter

A notification (letter or email) will normally be sent to those properties adjacent to the boundary of the application site.

~~A.B-T~~he case officer may also notify any properties they consider to be directly affected by the proposal.

Site Notice

A site notice refers to the action of posting a notice at the application site, in a way that is visible and legible by members of the public.

In accordance with the relevant legislation, for all major applications we will always display at least one or more site notice to which the applications relates for no less than 21 days.

In accordance with the relevant legislation, for all applications for Prior Approval, we will always erect a site notice and/or notify owners or occupiers as advised by the applicant of any adjoining premises.

If the council is informed that a site notice has been removed, we will usually replace this with another site notice. ~~We will not re-erect a site notice more than once.~~

Social Media

~~For major proposals, the council will publish details of the consultation on a planning application on social media, for example Twitter.~~

~~<https://twitter.com/WhitehorseDC>~~

Press Notice

A press notice refers to the publication of a notice in a newspaper circulating in the locality where the land to which the application relates to is situated.

In accordance with the relevant and most up to date legislation, for all major applications we will always publicise a notice in the local newspaper.

For minor and/or other proposals, we will only undertake a press notice for planning applications located within conservation areas or affecting the setting of a listed building that may affect its character or appearance. More information on public consultation required for types of planning applications can be found in Appendix 1.

Email Alerts

In addition to our statutory procedures for consulting on applications, the council offer a service for those interested in planning applications to sign up for regular email alerts. Once registered, the consultee will receive an automatic email notification informing them of any new planning application or planning decision made in their area (**within 100m radius of their postcode area - a larger area is available on request**) with a link to the proposal via our website.

~~Click here to sign up to our email alerts, <http://www.whitehorsedc.gov.uk/news-and-events/keep-me-informed/email-alerts>~~

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HOW DO WE COMMUNICATE WITH OUR COUNCILLORS?

We notify our Councillors of the registration of a planning application once it has been submitted to the council.

HOW DO WE CONSULT YOU ON PLANNING APPLICATIONS?

Most planning applications submitted to the council will include an element of public consultation or notification in accordance with the relevant and up to date regulations. The bodies and/or organisations that we will consult on a particular application depends upon the nature and potential impact of a development proposal (**Appendix 1**).

Neighbour notification consultation

We will always notify ~~by letter~~ neighbours adjacent to the boundary of an application for planning permission (**Figure 2**) in accordance with the relevant legislation^v.

In most cases, where new development (e.g. 'major' application) affects more properties than those that are immediately adjacent to the boundary of the site, wider consultation may be carried out.

We encourage residents and businesses to subscribe to our email alerts, which (by post code) will automatically notify you of applications made in your street.

This is not an alternative to our normal notification/consultation process but is additional. It is important to understand that even if we have not specifically written to you, but you know about a proposal and you want to comment on it, you can do so. For this to be effective please ensure you identify the address of the property and the planning application reference number (available via our website).

Statutory body consultation

We will consult with statutory bodies on planning applications for certain types of development in accordance with the relevant and up to date regulations^v. Consultation with these bodies will vary depending on the type of development proposal and/or location.

^{iv} [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)
^v [Table 2 - Statutory consultees on applications for planning permission of the National Planning Practice Guidance \(NPPG\) available at: <http://planningguidance.communities.gov.uk/blog/guidance/consultation-and-pre-decision-matters/table-2-statutory-consultees-on-applications-for-planning-permission-and-heritage-applications/>](#)

Town and Parish consultation

Towns and parishes are not classified as a statutory body, but we will always notify them of an application within and/or immediately adjacent to the town or parish boundary.

For permitted development notifications we do not consult towns or parishes.

Fig 2: Minimum neighbourhood notification for all applications



5 metre
Minimum neighbourhood notification

Residents Association Consultation

A body formally designated as a Resident Association and who has advised the council of its area of interest, will be notified of a planning application, within their defined area.

General Public Consultation

An important role of the council's planning service is to consult the community on planning applications. Many of the applications we consult on will only be relevant to immediate or close neighbours. Other applications, because of their scale, location, and/or nature of the proposal, will be of greater interest to the wider community. Therefore, the level of consultation and involvement with the community will depend upon the nature of each individual application.

In all cases, we will send a letter to the properties adjacent to the boundary of an application site. The planning officer may also, subject to their discretion, notify any properties

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they consider to be directly affected by the proposal. For example, if an application for a rear conservatory was submitted, it would be unnecessary to consult those properties that fronted the property, but those adjacent to the proposal would be notified of the application.

We will ensure that applications have a level of publicity and consultation that is appropriate to the size and the nature of the proposal. **Appendix 1** shows the council's approach to publicity and consultation for various common types of planning applications that we can expect in the district.

AT WHAT POINT WOULD WE CONSULT AGAIN?

National policy asks councils to consider whether further publicity and consultation is necessary if an amendment is made to an application once it has been submitted to the council^{vi}.

If an application is significantly amended, we will send a further notification to adjacent properties, and to any additional people or organisations who have already written in with comments, and request any comments within 14 days.

For major applications we will also issue a further site notice and advertise the consultation on the amended application.

We will also send copies of the revised application by email to the relevant town or parishes for further comment.

In accordance with best practice, and to manage expectations, the case officer will determine whether discretionary consultations may take place for applications with amended plans.

HOW CAN I GET INVOLVED WITH A PLANNING APPLICATION?

We want our planning decisions to consider and take account of community views. Consultation helps us to understand local issues, views and aspirations. The planning issues raised play a key role in influencing decisions.

The publicity procedures to be followed on planning applications are set out in Government legislation and regulations. The council meets all of these minimum legal requirements, but it is also best practice for the council to consult more widely to ensure that we maximise our opportunities for community involvement.

Where can I see a planning application?

The council publishes a list of all planning applications it receives. This is known as the **Planning Application Register on our website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/find-application/planning-application-register>**

All details of applications registered (application form, plans, supporting details) can be viewed and accessed electronically through this Planning Applications Register. A copy of the application and plans (black and white and on A4) is sent to the local town or parish. Please contact the clerk to view these documents. Details of all Town and Parish Clerks can be found at:-

<http://democratic.whitehorsedc.gov.uk/mgListCommittees.aspx?PC=1&bcr=1>
<http://www.whitehorsedc.gov.uk/services-and-advice/local-democracy/town-and-parish-councils>

How can I comment on a planning application?

We want to hear from you whether you are supporting, objecting or commenting on an application. To ensure that your views are not misinterpreted, we can only accept them in writing (email or letter). Please ensure that you quote the following when submitting a comment on a planning application:

- planning application reference number
- address of the site
- name of the case officer

We encourage you to submit comments on planning applications online, though there are a number of methods you can use:



Comment online: search for the planning application. Once you have selected the relevant application click on the orange 'comment now' box that appears in the planning application details window. This will open the online comment form.



planning@whitehorsedc.gov.uk



Vale of White Horse District Council,
135 Eastern Avenue,
Milton Park,
Milton,
OX14 4SB

(at the time of publication of this document)

[vi. CLG \(2014\) National Planning Practice Guidance \(NPPG\): Consultation and pre – decision matters: Paragraph: 026 Reference ID: 15-026-20140306; available at: <http://planningguidance.communities.gov.uk/blog/guidance/con>](#)

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[sultation- and-pre-decision-matters/re-consultation-after- an- application-has-been-amended/](#)

[If you would like to comment on a planning application but are unable to do so in writing because of a disability, cannot speak English well or cannot speak English, please contact us to discuss how we might help.](#)

What types of comments are taken into account?

Yes. Every comment that is planning related can influence the outcome on an application. So you can influence new development, which can make a difference to you and others in the locality.

All material planning comments are taken into account in considering planning applications. The list of examples below show relevant material planning matters that **can be** taken into account. Please note this list is not exclusive:

- ✓ Overshadowing and loss of light
- ✓ Over dominance
- ✓ Noise disturbance, smells, obtrusive lighting or other impacts on amenity
- ✓ The planning history of a site
- ✓ National planning policies and guidance
- ✓ Local planning policies and guidance
- ✓ Highway safety issues
- ✓ Traffic generation
- ✓ Car parking provision
- ✓ Design, including appearance, layout, scale, density and materials
- ✓ Local drainage issues
- ✓ Local flooding issues
- ✓ Loss of important open spaces
- ✓ Loss of important community facilities
- ✓ Impact on important trees
- ✓ Proposed landscaping
- ✓ Impact on the character or setting of a listed building
- ✓ Impact on the character or appearance of a conservation area

The list of examples below show the comments that **are not** considered to be material planning matters and will not be taken into account. Please note this list is not exclusive.

- ✗ Reduction in property values
- ✗ Boundary and access disputes
- ✗ Covenants and other private property matters
- ✗ Questioning the applicant's motives or morals
- ✗ Commercial competition
- ✗ Loss of a private view over land
- ✗ Planning application has been submitted retrospectively

Further information on 'What is a material planning consideration?' can be accessed from our website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/find-application/guidance-commenting-planning-application>

In accordance with our Customer Service Standards, the council will not tolerate comments that contain abusive, offensive or derogatory language, or those related to a personal circumstance. Any comments submitted to the council in this manner will not be published.

How long do I have to comment?

Once a planning application is registered, the application will be publicised and interested parties will be notified and invited to make comments. Interested parties are given 21 days to comment. This period is set out in the regulations. All comments on planning applications must be made in writing within:

- 21 days from the date of our notification letter, or
- 21 days from the date of a press notice or site notice appearing

Please note that comments submitted after this 21 day publicity period has expired may not be considered, as a decision may have already been determined on the planning application.

When we receive your comments we will send you an acknowledgement letter. Your comments/letter can be viewed online (publically available).

We may seek to extend our consultations in certain circumstances, for example, where the council is closed for business during the Christmas period.

How do I view other comments and progress on an application?

Every planning application registered by the council has a unique reference number and is assigned to a 'case officer' to deal with. This information will be provided on the letter of notification and acknowledgement that we issue.

[Consultees are entitled to view all details of a planning application in accordance with the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.](#)

All comments made on an application and received by the council can be viewed online via the Planning Application Register: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/find-application/planning-application-register>.

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HOW WILL WE RESPOND TO YOU?

For consultations on matters related to planning applications, as we receive a high volume of correspondence, it is difficult to respond to each individual comment that we receive on a particular consultation. Therefore comments relating to a particular planning application will be summarised and responded to within the planning officer's report. This report will be available to view electronically on the Planning Application Register.

The report will set out the officer's recommendations and justification. If the application is for approval, planning conditions may be set out, or if it is for refusal, the reasons and relevant Planning Policy will be set out.

This report is also sent to the applicant/agent, the relevant towns or parish and any individual, body or organisation who commented on the application (only if they have provided an email address when submitting a representation).

The report and final decision is provided online via:

- Our Planning Decision Register, accessed via the council website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/find-application/planning-decision-register>
- We will acknowledge representations received on planning applications by e-mail and by post. If you have included an e-mail address with your letter we will respond by e-mail. We will not send acknowledgements to verbal comments or comments submitted to us on feedback forms at consultation events.

Further information on 'how we respond to you' in planning and plan-making is set out in **Part 1**.

Does it matter what I think?

~~Yes. Every comment that is planning related can influence the outcome on an application. So you can influence how development, which can make a difference to you and others in the locality.~~

HOW ARE DECISIONS ON PLANNING APPLICATIONS MADE?

Decisions on planning applications will be determined in accordance with the decision making processes set out in the council's Constitution.

[vii https://www.planningportal.co.uk/info/200126/applications/58/the_decision_making_process/7](https://www.planningportal.co.uk/info/200126/applications/58/the_decision_making_process/7)

The Constitution sets out how the council operates, how decisions are made and the procedures which are followed to ensure that they are efficient, transparent and accountable to local people. Further information on the council's Constitution can be accessed online at: <http://www.whitehorsedc.gov.uk/about-us/how-we-work/constitution-0>

Planning Committee

Planning Committee considers a range of planning applications depending upon the scale, degree of complexity and the level of community interest.

The agenda for Planning Committee is published five working days before the meeting and is available to view at the council offices or online at: <http://democratic.whitehorsedc.gov.uk/committees>

If the application on which you have commented is to be heard by the Planning Committee, we will write to you and invite you to come and speak at the meeting. If you prefer, you can contact your local councillor at <http://democratic.whitehorsedc.gov.uk/mgMemberIndex.aspx?bcr=1> and ask if they would put forward your views at the meeting.

You are welcome to attend any Planning Committee and view the agenda papers. If you wish to speak at the meeting please contact Democratic Services on **01235 422520** or email democratic.services@southandvale.gov.uk

How to speak at Planning Committee

Planning Committee provides an opportunity, for those registered, to speak about a planning application and put forward any relevant issues to the committee about a proposal. It is also an opportunity for councillors ~~about the~~ at the Planning Committee to clarify any questions and answers arising from public speaking.

Each speaker, or group of speakers, can speak for up to three minutes on each application site (even if there are several applications for the site). Further conditions of speaking at Planning Committee are set out in the council's Constitution.

HOW DO I FIND OUT ABOUT SECTION 106 (PLANNING OBLIGATIONS)?

Section 106 is a legal agreement between the council and the applicant. The agreement sets out obligations to mitigate impacts of the proposal and must meet three statutory tests^{vii}.

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The council does not consult on Section 106 agreements. However, we seek clarity from towns and parishes on community facilities that the new development may impact upon or require improvement of. Once we have an agreement and the development has commenced, we will notify towns and parishes of the sums available for identified community facilities and provide an update to them on a six-monthly basis.

HOW CAN I GET INVOLVED WITH AN APPEAL?

If a planning application is refused, the applicant can either re-apply for planning permission with an alternative scheme, or they can appeal against the decision (this right is only available for the applicant as set out in regulations). Appeals are made to the **Planning Inspectorate (PINS)**. Applying for an appeal is in the hands of the applicant and/or appellant and is not within the remit of the council.

Only the person who applied for planning permission, or was served with an enforcement notice, has a legal right to appeal (known as the appellant). There is no right of appeal for interested people or organisations (known as third parties).

If an appeal is made we will notify the interested parties of the appeal and provide information on how and when to respond to PINS.

Appeals can be viewed on our **Planning Appeals Register** available on the council's website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-appeals/planning-appeals-register>.

This register is live and includes current and recent appeals and sets out details of what stage the appeal is at and the decision, if it has been made.

Alternatively, you can view current appeals on the Planning Inspectorate's Appeals Casework Portal available online at: <https://www.gov.uk/government/organisations/planning-inspectorate>

WHAT IF I THINK SOMETHING HAS BEEN BUILT, OR WORKS ARE BEING CARRIED OUT ON SOMETHING THAT HAS NOT RECEIVED PLANNING PERMISSION?

When a person carries out development without the benefit of a planning permission, the council considers what action to take. There is no duty on the council to investigate.

The council is committed to working with the towns and parishes to continue to identify local priorities and to deliver local projects. A list of all Section 106 contributions that are secured by the council are available on our website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/section-106>

If we find a breach of planning control has occurred, we can consider enforcement action. However, before such action is taken we will give the owner an opportunity to put things right. This could involve the council asking for a new retrospective planning application.

If no application is made, or the breach is harmful to planning, formal action can be considered. The council can serve an enforcement notice, usually as a last resort. We would firstly pursue other means of resolving the breach.

[Before reporting a suspected breach of planning control, please take a look at the Council's Enforcement Statement, available at:](http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-enforcement)

<http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-enforcement>

[If you do suspect a breach of planning control please complete the Reporting Form, available at:](https://eform.whitehorsedc.gov.uk/ebase/ufsmain?formid=ENFORCEMENT_COMPLAINT&SOVA_TAG=VALE&ebd=0&ebz=1_1473948604648)

For further information on planning enforcement please contact the Customer Service Team [by phone 01235 422600](tel:01235422600) or email planning@whitehorsedc.gov.uk.

Further details on the council's approach to addressing planning enforcement matters is available on the council website at: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-enforcement>.



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APPENDIX 1: PUBLIC CONSULTATION BY TYPE OF PLANNING APPLICATION OR DEVELOPMENT PROPOSAL

Type of Application	Publicity normally undertaken for each type of application				Notes
	Social Media	Site Notices	Press Notices	Neighbour notification letters	
'Major' Planning Applications	Yes	Yes	Yes	Yes	<p>Letters are sent to any owners/occupiers of properties adjoining the application site, where they can be identified. We seek to notify all adjoining neighbours to a proposal directly by a letter and will also display at least one site notice on or near the site. The extent of any wider notification by letter is dependent on the nature and scale of the proposal, and is assessed by the planning officer dealing with the application on a case-by-case basis.</p> <p>Some applications will also need to be accompanied by their own Statement of Community Involvement.</p>
'Other'/'minor' Planning Applications	No	Yes	See Notes	Yes	<p>For planning applications in conservation areas or affecting the setting of a listed building, site and press notices are only required when we think that the proposed development will affect the character or appearance of the conservation area and/or the setting</p>
Applications for Listed Building Consent	No	Yes	Yes	Yes	<p>In the case of listed buildings we will publish details of the application in a local newspaper and put up a site</p>
Applications for Certificates of Lawfulness of Existing Use or Development	No	Yes	No	See Notes	<p>There is no legal requirement to carry out publicity on applications for certificates of lawfulness of existing use or development because the application is judged on the factual evidence and not on the planning merits. However these applications seek to demonstrate that a building has been in place for 4 years or a use has been going on for 4 or 10 years, so we may undertake neighbour notifications by letter, subject to the officer's discretion, if the evidence submitted by the applicant appears inconclusive and we feel that local people may be able to provide evidence. We always notify the town or parish.</p>

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Type of Application	Publicity normally undertaken for each type of application				Notes
	Social Media	Site Notices	Press Notices	Neighbour notification letters	
Applications for Certificates of Lawfulness of Proposed Use or Development	No	No	No	No	There is no legal requirement to carry out publicity on applications for certificates of lawfulness of proposed use or development because the application is judged on the factual evidence and not on the
Applications for the Approval of reserved	No	See Notes	See Notes	Yes	The application is subject to the publicity appropriate to a 'major' or 'other' application (see above).
Applications required by a condition attached to a grant of planning permission	No	No	No	See Notes	No publicity is undertaken, consultation with internal/external specialists carried out depending on the condition to be discharged.
Type of Application	Publicity normally undertaken for each type of application				Notes
	Social Media	Site Notices	Press Notices	Neighbour notification letters	
Prior Approval Applications – telecommunication	No	No	See Notes	No	In some very specific circumstances, a press notice is required.
Prior Approval Applications – Demolition	No	Yes	No	No	Publicity is for information purposes only and the applicant undertakes it. The applicant displays a site notice on or near the land on which the building to be demolished is sited for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the council. Notify the town or parish.
Prior Approval Applications – New Agricultural	No	No	No	No	Parish notified

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Prior Approval Applications – Domestic Extensions	<u>No</u>	No	No	Yes	Part 1 Class A.1(e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows domestic single storey rear extensions up to 8m deep on detached houses and up to 6m deep on all other houses for a three year period, ending date needs to be reviewed. When the council is given notice of one of these proposals we will write to the immediate neighbours and the town or parish, giving them 21 days to comment on the proposal.
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Type of Application	Publicity normally undertaken for each type of application				Notes
	Social Media	Site Notices	Press Notices	Neighbour notification letters	
Prior Approval change of use of Office to Residential use	No	Yes	No	Yes	Part 1 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows changes of use of B1 offices to C3 residential. When the council is given notice of one of these proposals we will undertake some statutory consultations and erect a site notice and notify owners or occupiers of any adjoining premises giving them 21 days to comment on the proposal.
Prior Approval change of use a State Funded School	No	Yes	No	Yes	Part 1 Class K of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows changes of use of some offices, hotels, residential institutions and assembly and leisure use buildings to a state funded school. When the council is given notice of one of these proposals we will undertake some statutory consultations and erect a site notice and notify owners or occupiers of any adjoining premises giving them 21 days to comment on the proposal.
Prior Approval for change of use of agricultural buildings under 500m2	No	Yes	No	Yes	Part 1 Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015, allows changes of use of agricultural buildings under 500m2 to a variety of other uses. Notify town or parish and internal consultees.
Prior Approval use of a building and any land for a State Funded School for one year	No	Yes	No	Yes	Part 3 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows changes of use of some offices, hotels, residential institutions and assembly and leisure use buildings to a state funded school . When the council is given notice of one of these proposals we will undertake some statutory consultations and erect a site notice and/or notify owners or occupiers of any

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Change of use to a 'flexible use'	<u>No</u>	Yes	No	Yes	<p>Part 3 Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows some change of use of shops, financial and professional services, restaurants, cafes, drinking establishments, hot food takeaways, offices, non-residential institutions and assembly and leisure buildings to a flexible use as a shop, financial and professional services, restaurants and cafes or offices for a two year period.</p> <p>When the council is given notice of one of these proposals we will notify owners</p>
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Type of Application	Publicity normally undertaken for each type of application				Notes
	Social media	Site Notices	Press Notices	Neighbour notification letters	
Applications for advertisement	No	Yes	Yes	Yes	
Amendments to an undetermined Application	No	See Notes	See Notes	See Notes	The council practice is to negotiate improvements to applications and if possible overcome objections made by neighbours. If a significant amendment is made to an application then we will write to neighbours again and request any comments on the amendments within 14 days. Majors will also be advertised and have a site notice. Officer discretion for this for controversial
Applications for Hazardous Substance Consent	No	Yes	Yes	Yes	We only consult the Health and Safety Executive as the statutory body for matters related to hazardous substances.
Development affecting a Public Right of Way	No	Yes	Yes	No	

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GLOSSARY

KEY TERM	DEFINITION	KEY TERM	DEFINITION
<u>Breach of planning control</u>	<p>A breach of planning control is defined in Section 17A of the Town and Country Planning Act 1990 as:</p> <ul style="list-style-type: none"> the carrying out of development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted. 		<p>material considerations including consultation responses.</p> <p>The team can be contacted for advice on pre – application enquiries and planning applications.</p>
<u>Constitution</u>	<p>Vale of White Horse District Council's Constitution sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.</p>	<u>Environmental Information Regulations (EIR) 2004</u>	<p>The Environmental Information Regulations (EIR) 2004 provide public access to environmental information held by public authorities.</p> <p>http://www.legislation.gov.uk/ukksi/2004/3391/regulation/12/made</p>
<u>Consultation</u>		<u>Freedom of Information (FOI) Act 2000</u>	<p>The Freedom of Information (FOI) Act 2000 gives rights of public access to information held by public authorities.</p> <p>http://www.legislation.gov.uk/ukpga/2000/36/contents</p>
<u>Consultation</u>	<p>A process by which people and organisations are asked their views about planning decisions, including the Local Plan.</p>	<u>General Permitted Development Order 2015</u>	<p>This Order sets out classes of development for which a grant of planning permission is automatically given, provided that no restrictive condition is attached or that the development is exempt from the permitted development rights.</p> <p>http://www.legislation.gov.uk/uksi/2015/596/contents/made</p>
<u>Development Forum</u>	<p>Development Forum ensures that key stakeholders are engaged at the earliest possible stage to help shape the development. It particularly allows an applicant to positively engage with council officers, local councillors, towns and parishes and local community groups</p>	<u>Major applications</u>	<p>Applications for developments of 10 or more dwellings, or 1,000 sq m or more gross non-residential floor area (including changes of use of existing buildings).</p>
<u>Development Management</u>	<p>The Development Management team is responsible for assessing planning applications in accordance with the adopted development plan, the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and any other</p>	<u>Material planning considerations</u>	<p>This is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. This can include issues such as overlooking/loss of</p>

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KEY TERM	DEFINITION	KEY TERM	DEFINITION
	<u>privacy, parking, noise, effect on an listed building or conservation area, or the effect on nature conservation etc.</u>		<u>formal planning application process that provides an indication as to whether a proposal is likely to be considered acceptable or not.</u>
<u>Minor application</u>	<u>Applications for developments of up to 9 dwellings or up to 999 sq m gross non-residential floor area (including changes of use of existing buildings), changes of use of open land, telecommunications</u>		<u>The advice given does not constitute a formal response or decision of the Council, but is an informal opinion by a Planning Officer.</u>
		<u>Prior Approval</u>	<u>Prior Approval means that a developer has to seek approval from the council that specified elements of the development are acceptable before work can proceed.</u>
<u>National Planning Policy Framework (NPPF)</u>	<u>This sets out Government's planning policies for England and how these are expected to be applied at a local level. The NPPF is a material consideration when deciding on planning applications or appeals.</u> <u>https://www.gov.uk/government/publications/national-planning-policy-framework--2</u>		<u>The matters for prior approval will vary depending on the type of development. These are set out in full in the relevant parts in Schedule 2 of the General Permitted Development Order.</u>
<u>National Planning Practice Guidance (NPPG)</u>	<u>The National Planning Practice Guidance (NPPG) is a planning practice on-line resource covering a range of planning issues.</u> <u>http://planningguidance.communities.gov.uk/</u>	<u>Public Right of Way (PROW)</u>	<u>A right of passage by the public over the highway for the purpose of passing and re-passing and for incidental purposes. There are four classes of rights – Footpaths, for walkers, Bridleways for walkers, horse riders and pedal cyclists, Restricted Byways for all users except mechanically propelled, and Byways for all users</u>
<u>Planning Inspectorate (PINS)</u>	<u>The Planning Inspectorate (PINS) is an executive agency sponsored by the Department for Communities and Local Government. PINS deal with planning appeals, national infrastructure planning applications, examinations of local plans and other planning – related and specialist casework.</u>	<u>Section 106</u>	<u>A legal agreement under Section 106 of the Town and Country Planning Act. They are legal agreements between the council and a developer, or undertakings offered unilaterally by a developer that ensures that certain works related to a development are undertaken.</u>
<u>Pre – application</u>	<u>Pre – application is an informal process, independent of the</u>		

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- i—The General Permitted Development Order (GPDO) 2015; available at: <http://www.legislation.gov.uk/ukSI/2015/596/made>
- ii—Further information on Permitted Development can be accessed on our website at: <http://www.whitehorsede.gov.uk/services-and-advice/planning-and-building/application-advice/do-i-need-planning-permission-0>
- iii—Planning Application Register, available at: <http://www.whitehorsede.gov.uk/services-and-advice/planning-and-building/find-application/planning-application-register>
- iv—Town and Country Planning (Development Management Procedure) (England) Order 2015
- v—Table 2 – Statutory consultees on applications for planning permission of the National Planning Practice Guidance (NPPG) available at: <http://planningguidance.communities.gov.uk/blog/guidance/consultation-and-pre-decision-matters/table-2-statutory-consultees-on-applications-for-planning-permission-and-heritage-applications/>
- vi—CLG (2014) National Planning Practice Guidance (NPPG); Consultation and pre—decision matters; Paragraph: 026 Reference ID: 15-026-20140306; available at: <http://planningguidance.communities.gov.uk/blog/guidance/consultation-and-pre-decision-matters/re-consultation-after-an-application-has-been-amended/>
- vii—https://www.planningportal.co.uk/info/200126/applications/58/the_decision_making_process/7



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